

Present: Council: President Stearn; Pro-Tem Koss; Members: Berndt, Oen, Peddie  
Planning Board: Chairperson Jensen; Vice-Chair Ostrowski; Members: Freedman, Liberty, Stempien, Tillman, Wayne and Westerlund.

Absent: Council – Briggs and Mooney  
Planning Board - Borowski

Also Present: Village Manager, Wilson  
Village Building Official, Byrwa  
Assistant Manager, Marshall  
Planning consultants, Borden and Strader

Chairman Jensen called the meeting to order at 7:32 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road.

### **DISCUSS SOUTHFIELD ROAD CORRIDOR**

Jensen asked for Council discussion on the study presented by Robert Gibbs, who conducted a master planning study for the Southfield Road corridor. Gibbs Planning Group examined planning options, the zoning code, and the market potential for this property. His presentation at the Planning Board meeting of January 28, 2009 revealed how the private sector with their own resources could redevelop the site into a walkable village town center. Gibbs is advocating that the Village consider writing an optional zoning code called an overlay zoning code, which would allow the private sector to take underutilized property and invest its own money to develop segments of a walkable town center.

An electronic copy of the report and illustrations distributed by Robert Gibbs will be made available to Council and Board members who did not receive the handout on January 28.

Planning Board and Council members commented on the presentation by Robert Gibbs that proposed that redevelopment of the Southfield Road Corridor into a town center would be an improvement to the community that could be accomplished by working with current land owners and business owners. Gibbs presented data confirming that the study area was a prime location with market potential. Members suggested that the Village should start looking at how to proceed with structuring an overlay plan and accompanying ordinances.

Brad Strader with LSL Planning stated that his firm recently completed the City of Southfield Master Plan, which will be considered for adoption by the city council in March. Their Southfield Road Corridor Plan calls for a median, walkable areas and mixed use redevelopment. Strader will send an electronic copy of the corridor plan to Council and Board members.

The Road Commission for Oakland County has a plan for a median that is slated to start at the Lodge Freeway and gradually continue up through the cities of Lathrup Village and Southfield. Their plans show the median stopping at 13 Mile Road. Strader related that former manager Renzo Spallasso and he talked to Brian Blessing at the Road Commission a year ago about the possibility of extending the median through Beverly Hills.

Strader explained how a form-based code that ties design to land use could be implemented in conjunction with the Gibbs plan. An overlay zoning district allows existing development to remain conforming. However, a property owner can redevelop using new concepts and designs under the flexible form based code. Revised parking requirements can be part of that optional zoning code. The Village could consider using a Corridor Improvement Authority (CIA) at some point; Strader pointed out the benefits of a CIA versus a Downtown Development Authority.

It was questioned how developers could be persuaded to consider redevelopment under the alternate plan. Strader responded that the City of Birmingham accomplished this by allowing additional density to encourage changes. He suggested that the Village initiate round table meetings with property owners and developers to determine what it would take to interest them in pursuing the town center plan. The timing is not optimum due to the weak economy, but the foundation could be set so that Beverly Hills will be ready when the economy turns around.

In answer to how far Beverly Hills was from being in a position to begin the process, Strader responded that the Village could authorize the planning consultants to draft a form based code with a regulating plan. The Village's role would be to determine what it wants its village center to look like and then write a code that offers enough incentive for owners or developers to invest money for redevelopment.

Planning Board members emphasized that this would be a developer driven project based on the current market. The town center plan should be communicated via a presentation at a Council meeting or other means so that the public is aware of the proposal. The stakeholders along Southfield Road should be invited to view what is being proposed for the corridor to make it a more viable commercial area.

There was agreement that the Village needs to develop a long-range plan for the Southfield Road business corridor. Without a plan for the future, the Village might find itself in a situation where something undesirable is constructed along that corridor. There was discussion of incorporating a redevelopment plan that would attract developers and attain the support of the public for the town center concept.

Brad Strader stated that it will take meetings with property owners and some advance public relations to explain how the redevelopment plan will and will not impact them. Property owners should be aware of the benefits of a more flexible zoning code that will allow multi-story construction with offices and residential uses. Strader suggested holding round table discussions with property owners and with developers who could confirm that this is a good market and specify what incentives they would need. Borden added that the Village should provide illustrations of options and alternatives to show property owners and developers.

Council and Board members discussed what the development would look like and how property could be assembled.

Brad Strader identified steps that should occur if Council agreed to proceed with an optional zoning code for redevelopment of the Southfield Road corridor. The Village could begin by holding round table meetings with property owners, tenants, and developers that do this type of

redevelopment. A meeting should take place between the Village Manager and the Road Commission to discuss the median and how Beverly Hills could attach itself to the project working its way up from Southfield and Lathrup Village.

The Village would need to amend its Master Plan to incorporate the Gibbs proposal. If Beverly Hills is going to consider an overlay district, there needs to be some foundation under the plan. The Planning Board and Council would determine what a village center should look like and direct the planners to draft a form-based or design overlay and a regulating plan that requires adoption of an ordinance. It was suggested that Robert Gibbs be called in to give his presentation at a Council meeting with business owners invited to hear his presentation.

Stearn said that the Gibbs presentation exceeded his expectations. He thought that communicating with residents, business owners, and potential developers should be the first step in order to gain their support. Once there is a buy in, the next step could be to start talking about the Master Plan. Outreach and public relations efforts could start at a Council meeting and extend to round table discussions with business owners and developers.

Strader suggested assembling a public relations packet and presentation using illustrations and text to outline the process. The presentation would indicate what exists today, proposed elements illustrated with drawings, and steps to make it happen. Planning Board and Council members could meet with small groups of business owners to build support for the project. The public relations package could articulate that the one thing missing in Beverly Hills is a mixed use walkable village. The idea is to make the commercial district fit in with the rest of the village.

The value of the marketing data included in the Gibbs report was mentioned. The goal is to incorporate the commercial district into what most people perceive as a residential community. Emphasis should be placed on the fact that a town center development would benefit the community in terms of allowing for a viable commercial district that would lessen the tax burden on residents.

Council and Board members discussed how to approach residents and property owners and ways to present the village center plan.

In response to an inquiry on how to address the median issue, Manager Wilson stated that he had a preliminary discussion on the median with the Road Commission at a meeting that took place a couple of weeks ago on a different topic. He expressed the Village's interest in being involved in the Southfield Road median project, which is in the planning stages.

Strader remarked that there are huge safety benefits to constructing a median, which is a way to gain public support for the project. A Southfield Road median in Beverly Hills would provide the Village with a competitive advantage over some of the other outlying communities.

Jensen summarized that this was a good discussion of the Gibbs plan for the Southfield Road business district. The Planning Board will proceed based on the comments made and distribute the planning study and current information to everyone. A proposal will be made on advancing the process, which will involve a presentation by Gibbs at a Council meeting.

**PLANNING CONSULTANT LSL TO PROVIDE UPDATE ON VILLAGE PROJECTS**

Borden summarized three major items that the Planning Board is working on at present outside of the Southfield Road Corridor study. These items are near completion.

The Planning Board will hold a public hearing on draft amendments to an Accessory Building and Structure Ordinance at its February 25 meeting. Borden related the purpose of amending the current regulations and outlined changes that have been made to the ordinance. Input from Council has been incorporated into the ordinance amendments. Following its public hearing, a recommendation from the Planning Board will be forwarded to Council regarding adoption of the ordinance. Council will then hold two public hearings and consider adoption of the ordinance amendment.

The Planning Board will propose an Amendment to Chapters 21 and 22 of Village Municipal Code with regard to appointments of duo and alternate members to the Planning Board and Zoning Board of Appeals. There have been changes in State Law over the last several years regarding membership on Boards. The amendment will allow for alternate members to the Zoning Board of Appeals for situations when a quorum is not available or when there is a conflict of interest issue. In order for the Zoning Board of Appeals to approve a variance, there must be an affirmative vote of five members of the Board no matter how many are sitting at the time. The ordinance amendment is scheduled for a Planning Board public hearing on Wednesday, February 25. Council is likely to see that draft amendment at a meeting in March.

At Council's direction, the Planning Board initiated a nonconforming lot study for residential property west of Southfield Road. The planning consultants used GIS data to map the project area and lot sizes, identify nonconforming lots, and present informed recommendations to the Planning Board in terms of modifying Zoning Ordinance regulations to minimize the number of nonconforming lots without altering the character of established neighborhoods.

Borden will present rezoning options to the Planning Board this month. There are levels of options for two or three targeted areas. Following this exercise, LSL will draft map amendments and prepare for a public hearing in the spring.

Tillman, who sits on both the Planning Board and ZBA, reported that that the number of variance requests for property on the east side of the Village has declined to almost none due to adoption of the Ordinance amendment that reduced the number of nonconforming lots east of Southfield Road.

**DISCUSS OFF-STREET PARKING REQUIREMENTS FOR BUSINESS/OFFICE**

Borden referred to a memo dated February 6, 2009 from LSL Planning that was prepared for the Village in connection with a ZBA case involving parking standards for dental office use. LSL took a broad approach in terms of looking at Beverly Hills regulations compared to national parking standards as well as ordinances of surrounding southeast Michigan communities. A similar memo was distributed as part of the Village's consideration of a recent request by the Beverly Hills Club for an internal addition to their health facility.

The memos indicate the need for Beverly Hills to update its parking standards. There are certain uses that require too much parking. Borden clarified that southeast Michigan typically requires slightly higher amounts of parking than the national studies cite given the region's dependence on cars and the general lack of transit options. He noted that there are benefits to reducing parking requirements in terms of development and design opportunities, but parking should not be reduced to the point of creating additional problems.

Borden and Strader suggested that the Village's medical office parking standards were high. There is also a need to amend the parking regulation that bases parking for a health club on occupancy. Village parking requirements could be studied at the direction of the Planning Board and Council in conjunction with the Southfield Road Corridor study. Southfield Road encompasses the major commercial and office areas of the community. The area should be redeveloped with improvements and buildings and not with parking lots. Borden thought that it would benefit the Village to allow for greater flexibility in the parking ordinance.

Council members discussed current parking in the business corridor. There was agreement that amendments to the parking ordinance should be reviewed. Jensen asked the planning consultants to provide the Village with a proposal for parking ordinance amendments.

It was mentioned that the Zoning Board of Appeals received annual requests for variances from Market Fresh and Starbucks for outdoor sales and seating. It was suggested that the outdoor sale of seasonal items be regulated by ordinance or administratively.

Stearn commented that the Village's planning budget is likely to be cut back due to decreasing revenue. The Village may not have funding for proposed planning projects.

#### **PUBLIC COMMENTS**

Bob Walsh of Smallwood Court had a couple questions on the Southfield Road median and Corridor Improvement Authority financing, which were addressed by Brad Strader and Chris Wilson.

Rukni Abboud of Gould Court concurred with the need for a public relations campaign to promote redevelopment of the Southfield Road corridor. He commented on density, parking, and traffic issues.

#### **COUNCIL COMMENTS**

Stearn thanked everyone on the Planning Board for their time and commitment and urged members to keep up the good work.

#### **BOARD COMMENTS**

Westerlund stated there is neighborhood stabilization grant money available through Community Development Block Grant Funds. He asked whether funding to stabilize communities with foreclosed homes would be available to the Village. Wilson responded that the Village's position in the hierarchy of municipalities eligible for funding is low.

Westerlund remarked that a business could close or be sold at any time. If the Village adopts an overlay plan, it would be available to a developer and provide an opportunity for a village town center in the future.

Tillman expressed the view that it was the duty of Council and Planning Board members to consider the future of the Village and take steps to ensure that it will continue to be a desirable place in which to live.

Freedman addressed a comment about reducing the planning budget. The Planning Board and Council are energized and willing to reach out to the community with a plan for the future. She expressed enthusiasm for the opportunity to do something in terms of planning for the future of the Village.

Jensen reported that Robert Gibbs emailed information to him regarding an available source of funding for communities that are attempting to do what has been discussed at this meeting. He will forward this information to the Village Manager.

Jensen asked the planning consultants to prepare a work plan and cost estimate for items discussed at this meeting.

Motion by Stempien, second by Liberty, to adjourn the meeting at 9:23 p.m.

Motion passed.

**David Jensen, Chairperson**  
**Planning Board**

**Todd Stearn, President**  
**Village Council**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**